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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741.829	12/22/2000	Arthur John Low	47-11 US	8806
21005 7590 10/21/2003				
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.				
530 VIRGINIA ROAD				
P.O. BOX 9133				
CONCORD, MA 01742-9133				
EXAMINER				
PATEL, NIKETA I				
ART UNIT PAPER NUMBER				
2182				
DATE MAILED: 10/21/2003				

13

Please find below and/or attached an Office communication concerning this application or proceeding.



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<div>EXAMINER</div> <div>PATEL, NIKETA I</div> <div><table border="1"><thead><tr><th>ART UNIT</th><th>PAPER NUMBER</th></tr></thead><tbody><tr><td>2182</td><td>13</td></tr></tbody></table></div> <div>DATE MAILED: 07/31/2003</div>					ART UNIT	PAPER NUMBER	2182	13
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Office Action Summary

Application No.

09/741,829

Applicant(s)

LOW ET AL.

Examiner

Niketa I. Patel

Art Unit

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-46 is/are pending in the application.
- 4a) Of the above claim(s) 1-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 07/26/2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4, 10.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election of **Group V** in Paper No. 12 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. Claims 1-27 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected **Group I, Group II, Group III, and Group IV** there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 12.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 28-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Ellis U.S.

Patent Number: 6,484,257 (hereinafter referred to as "*Ellis*".)

5. **Referring to claim 28**, *Ellis* teaches a data encryption system comprising: a control process which modifies a received packet to include control data which identifies processes to be performed on the packet [see figure 5A – element 5A10; column8 – lines 48-61]; a plurality of processors which perform the processes identified by the control data, including an encryption

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process [see figure 5A – elements 5A10, 5A70, ‘Agent/Final Destination’, Encrypt/Decrypt; column 7 – lines 11-67; column 8 – lines 1-27, 48-67; column 9 – lines 1-43]; an interconnection which responds to control data in the packet to forward the packet with control data from processor to processor [see figure 5A – element 5A40; column 8 – lines 61-67]; and an output from which the processed packet is forwarded without the control data [see figure 5B – element 5B40; column 9 – lines 13-43.]

6. **Referring to claims 29 and 39**, *Ellis* teaches that the interconnection comprises a packet buffer including buffer control, which determined a next processor of the plurality of processor to process the data packet [see figure 5A – elements 5A40, 5A50; column 7 – lines 11-67; column 8 – lines 1-27, 48-67; column 9 – lines 1-43.]

7. **Referring to claims 30 and 40**, *Ellis* teaches that the buffer controller includes a resource manager which maintains information n resource processor availability [see column 7 – lines 25-30.]

8. **Referring to claims 31 and 41**, *Ellis* teaches that the control data includes code to be processed in at least one of the processors [see column 7 – lines 11-67; column 8 – lines 1-27, 48-67; column 9 – lines 1-43.]

9. **Referring to claims 32 and 42**, *Ellis* teaches that the control data further included an encryption or authentication key [see column 7 – lines 11-67; column 8 – lines 1-27, 48-67; column 9 – lines 1-43.]

10. **Referring to claims 33 and 43**, *Ellis* teaches that individual processors add result data to the control data [see column 7 – lines 11-67; column 8 – lines 1-27, 48-67; column 9 – lines 1-43.]

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11. Referring to claims 34 and 44, *Ellis* teaches that the processors perform IPSEC protocol processing [see column 5 – lines 16-24; figure 5A – element ‘IPSEC TUNNEL’; column 7 – lines 11-67; column 8 – lines 1-27, 48-67; column 9 – lines 1-43.]

12. Referring to claims 35 and 45, *Ellis* teaches that respective processors perform IP header manipulation and encryption [see column 8 – lines 28-67; column 5 – lines 16-24.]

13. Referring to claims 36 and 46, *Ellis* teaches that a processor performs authentication processing [see column 8 – lines 27-29; column 10 – lines 12-22.]

14. Referring to claim 37, *Ellis* teaches a method of encrypting or decrypting data packets comprising: modifying a received packet to include control data which identifies processes to be performed on the packet [see figure 5A – element 5A10; column 8 – lines 48-61]; and in successive processors, performing the processes identified by the control data, including an encryption or decryption process [see figure 5A – elements 5A10, 5A70, ‘Agent/Final Destination’, Encrypt/Decrypt; column 7 – lines 11-67; column 8 – lines 1-27, 48-67; column 9 – lines 1-43.]

15. Referring to claim 38, *Ellis* teaches that the packet is forwarded from processor to processor through an interconnection which responds to control data in the packets [see figure 5A – element 5A40; column 8 – lines 61-67.]

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following documents have been made record of to further show the state of the art as it pertains to data encryption and decryption.

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Woo U.S. Patent Number: 6,604,147

Aziz et al. U.S. Patent Number: 5,548,646

Levesque et al. U.S. Patent Number: 5,825,891

Elzur et al. U.S. Patent Number: 6,449,656

Godwin et al. U.S. Patent Number: 6,505,192

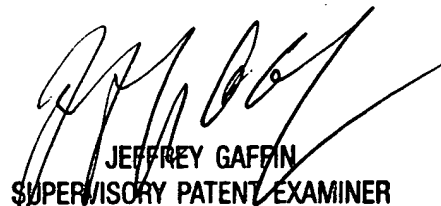
Li U.S. Patent Number: 6,606,706

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Niketa I. Patel whose telephone number is (703) 305 4893. The examiner can normally be reached on M-F 8:00 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (703) 308 3301. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305 3900.

NP


JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100